

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**JANUARY 9, 2007**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman  
Jennifer Hill, Vice-Chairman  
Elaine Renick, District #2  
Debbie Stivender, District #3  
Linda Stewart, District #4**

**Cindy Hall, County Manager  
Sanford A. Minkoff, County Attorney  
James C. Watkins, Clerk to the Board**

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**DISCLAIMER**

**This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.**

**In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.**

**The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.**

## **ITEMIZED AGENDA**

**January 9, 2007**

9:00 A.M. Invocation

Pledge of Allegiance

### **I. AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

### **II. MINUTE APPROVAL**

Tab 1 Approval of the following Minutes:

September 19, 2006 (Regular Meeting)

December 5, 2006 (Regular Meeting)

### **III. CLERK OF COURT'S CONSENT AGENDA**

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 11):

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Before the Florida Public Service Commission – Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., Department of Community Affairs, Department of Environmental Affairs, and All Other Interested Persons – Docket No. 060642-EI. Petition for determination of need for expansion of Crystal River 3 Nuclear Power Plant, for exemption from Bid Rule 25-22.082, F.A.C. and for cost recovery through fuel clause, by Progress Energy Florida, Inc.

A prehearing will be held on Monday, January 8, 2007 at 1:30 p.m. and a hearing will be held before the Florida Public Service Commission in the above referenced docket, on Thursday, January 18, 2007, at 9:30 a.m. at the Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida.

Any person requiring some accommodation at the hearing, because of a physical impairment, should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission, by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD) – Acknowledge receipt.

3. Notification of Ordinance 2007-01 hearing from the Town of Montverde on Tuesday, January 9, 2007 and Tuesday, February 13, 2007 per Florida Statute 171.044(6), with attached notifications and draft advertisement – Acknowledge receipt.
4. Annexation Ordinance No. 2006-026, from the City of Fruitland Park, annexing approximately 21 acres located North of Cooke Drive, West of US Highway 441, said property being contiguous to the City of Fruitland Park. Passed and ordained the 14<sup>th</sup> day of December, 2006, by the City Council of the City of Fruitland Park, Florida – Acknowledge receipt.
5. Annexation Ordinance No. 2006-027, from the City of Fruitland Park, annexing approximately 980 acres located South of CR 466A, said property being contiguous to the City of Fruitland Park. Passed and ordained the 14<sup>th</sup> day of December, 2006, by the City Council of the City of Fruitland Park, Florida – Acknowledge receipt.
6. Monthly Distribution of Revenue  
Traffic/Criminal Cases, Month Ending November 30, 2006

Displays revenue collected, and disbursements made to various trusts, surcharges, municipalities, etc.

Disbursements due to Board:      \$166,802.69

Same period, last year:              \$145,405.58

Recommendation: Acknowledgement

7. Annexation Ordinance No. 570-M, from the City of Clermont, annexing approximately 18 acres located in Lake Highlands, Section 32, Township 22 South, Range 26 East, Tracts 3, 4, said property being contiguous to the City of Clermont. Passed and ordained the 28<sup>th</sup> day of November, 2006, by the City Council of the City of Clermont, Florida – Acknowledge receipt.
8. Annexation Ordinance No. 2006-925, from the City of Mount Dora, annexing approximately one acre located at 20110 US Highway 441, said property being contiguous to the City of Mount Dora. Passed and ordained the 5<sup>th</sup> day of December, 2006, by the City Council of the City of Mount Dora, Florida – Acknowledge receipt.
9. Annexation Ordinance No. 2006-927, from the City of Mount Dora, annexing approximately 9.9 acres located at US Highway 441 and Smith Avenue, said property being contiguous to the City of Mount Dora. Passed and ordained the 5<sup>th</sup> day of December, 2006, by the City Council of the City of Mount Dora, Florida – Acknowledge receipt.

10. Deer Island Community Development District Meeting Schedule for Fiscal Year 2007, in Deer Island Community accordance with Chapter 189, Florida Statutes – Acknowledge receipt.

The Board of Supervisors of the Deer Island Community Development District will hold their meetings for the remainder of Fiscal Year 2007, at 6:00 p.m., at the Clubhouse, 18000 Eagles Way, Deer Island, Florida, on the following dates:

January 15, 2007  
March 19, 2007  
May 21, 2007  
August 20, 2007

Recommendation: Acknowledge receipt

11. Lake County Water Authority Board of Trustees meeting schedule for 2007 as follows:

January 24	August 22
February 28	September 12 (Tentative Budget Hearing)
March 28	September 26 (Final Budget Hearing and
April 25	Regular Meeting)
May 23	October 24
June 27	November 14
July 11 (Budget Workshop)	December 12
July 25	

All regular meetings are scheduled to begin at 3:30 p.m. and Budget meetings begin at 5:05 p.m.

The Budget Workshop starts at 9:00 a.m., location to be determined.

Recommendation: Acknowledge receipt

#### IV. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 16) **Budget**

##### Tab 3

1. Budget transfer – Animal Sterilization Trust Fund, Department of Public Safety, Animal Services Division. Transfer \$2,602.00 from Reserve for Operations to Machinery and Equipment. Funds are needed to purchase an anesthesia machine for Animal Services. Funds available in Reserve for Operations.
2. Approval of request of medical bill for inmate. The request exceeds the County Manager's approval limit of \$25,000.00. Total payment is for \$164,744.18.

- Tab 4 Approval of an Additional Legislative Position for 2007 for Funding for Big Prairie Watershed Management Plan.

### **Community Services**

- Tab 5 Approval to pay \$500,000.00 from Library Impact Fees to the Lake-Sumter Community College Foundation to be used as match toward the construction of the planned joint-use community college/public library on the South Lake campus of LSCC and authorization for the chairman to sign the First Amendment to Agreement between Lake County and Lake-Sumter Community College for Joint-Use Library Facility, pending County Attorney approval. Also approve related budget transfer.
- Tab 6 Approval of the Amendment to the Medicaid Waiver Service Agreement for Transportation Services between the Lake County Board of County Commissioners and the Agency for Persons with Disabilities.
- Tab 7 Approval to advertise for the Non-Emergency Stretcher and Wheelchair Transportation Ordinance for Lake County.
- Tab 8 Approval of the Revised Acceptance of the FDOT 5310 Grant Award for three (3) 23' buses and one (1) 31' heavy duty bus.
- Tab 9 Approve the Lake County Department of Community Services Transportation Disadvantaged staff to apply to the Florida Department of Transportation for the Section 5311 Transit Grant Application FY 2007-2008 and approval and execution of two Resolutions.
- Tab 10 Approve the Lake County Department of Community Services Transportation Disadvantaged staff to apply to the Florida Department of Transportation for the Section 5310 Transit Grant Application FY 2007-2008 and approval and execution of Resolution.

### **Growth Management**

- Tab 11 Approval and execution of a Release of Fine for Property owner: Robert L. Ross, Code Case #2005050195 – Commission District 3.
- Tab 12 Approval and execution of a Release of Fine for Property owner: Steve L. Parsons, Code Case #CEB 41-00 – Commission District 3.
- Tab 13 Approval of Settlement Agreement with Khemraj Narain pursuant to Special Master hearing held on December 4, 2006 – Commission District 2.

## **Procurement**

- Tab 14 Approval of the contract for Arnold Brothers Boat Ramp Parking Lot Improvements to Sun Belt Construction in the amount of \$350,715.00. It is recommended the BCC approve the budget transfer in the amount of \$261,232.00 for the additional funds required for this project – Commission District 3.
- Tab 15 Approval of the establishment of an Audit Committee for competitive procurement of annual financial audit services as detailed on the agenda item cover sheet.

## **Public Safety**

- Tab 16 Approval to submit a grant application to the United States Fire Administration Assistance to Firefighters Grant Program. The grant is administered by the Department of Homeland Security and is available to help fire service agencies improve the health and safety of the public and emergency response personnel. The grant program has an application period of December 4, 2006 – January 12, 2007. Local matching fund dollars will come from budget 2006-07.

## **V. COUNTY ATTORNEY’S CONSENT AGENDA**

- Tab 17 Approval of the Estoppel Certificate for 7730 American Way.

## **VI. AWARDS AND RECOGNITIONS**

### **EMPLOYEE AWARDS**

#### **Presentation of Award to Employees with Five Years of Service**

Leonard Francis, Maintenance Worker, Public Works/Road Operations/Maintenance Area III

Sherry Scheller, Library Assistant, Community Services/Library Services/Paisley Library

Ann Corson, Planning Office Associate, Growth Management/Planning & Development/Current Planning

James Dailey, Field Forensic Investigator, Medical Examiner

Patricia Young, Senior Customer Service Representative, Environmental Services/Solid Waste Administration

Sharon McParland, Office Associate III, Tourism and Business Relations/Fairgrounds

Michael Woods, Transportation Coordinator, Lake Sumter Metropolitan Planning Organization

Ronald Moore, Librarian II, Community Services/Library Services/Paisley Library

Janice Wood, Transcriptionist/Records Custodian, Medical Examiner

**Presentation of Award to Employee with Ten Years of Services**

Catherine McGwier, Laboratory Supervisor, Environmental Services/Water Resource Management

Cheri Greer, Library Technician, Community Services/Library Services

**Presentation of Award to Employee with Fifteen Years of Service**

Robert McCullough, Assistant Facilities Management Director, Facilities Development and Management

**VII. PRESENTATIONS**

**Public Safety:** Presentation on upgrading our existing emergency responder radio network

Tab 18 Update concerning the Economic Development Visioning and Strategic Planning project.

**VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

**Growth Management**

Tab 19 Approval to negotiate a Purchase Agreement with the St. Johns River Water Management District for acquisition of the property known as Neighborhood Lakes with a proposed county contribution of \$5 million and discussion of the Public Land Acquisition Council request that the Board of County Commissioners identify funds other than the Land Acquisition Referendum bond funds for one-half of the acquisition funding – Commission District 4.

**Procurement**

Tab 20 Approval to authorize and execute the second addendum to the subject contract with HLM Design to cover Phase 2B construction design and support services for the Judicial Center Expansion, Detention Center and additional such services for the Central Energy Plant.

- Tab 21 Approval to request a proposal from Motorola, based on Nassau County contract, and negotiate technical and pricing conditions on emergency radio system upgrade.

**IX. OTHER BUSINESS**

- Tab 22 Appointment of individuals to upcoming vacant positions on the Lake County Zoning Board.
- Tab 23 Appointment affirmation of Robert Thielhelm to serve as Mount Dora Public Library's member representative and Mayor James Yatsuk to serve as an alternate representative on the Lake County Library Advisory Board.
- Tab 24 Approval and execution of Resolution appointing members to the Affordable Housing Advisory Committee.
- Tab 25 Appointment of individuals to upcoming vacant positions on the Elder Affairs Coordinating Council.
- Tab 26 Appointment of individuals to vacant positions on the Sales Surtax Oversight Advisory Committee to serve four-year terms ending November 19, 2010.
- Tab 27 Appointment of individual to the vacant District 2 position on the Solid Waste Advisory Committee.
- Tab 28 Appointment of individual to serve as the District 4 representative on the Parks, Recreation and Trails Advisory Board to complete an unexpired term ending May 20, 2007 and serve a consecutive two-year term.
- Tab 29 Appointment of individuals to upcoming vacancies for two (2) at-large members to serve four-year terms for the LPA beginning February 1, 2007.
- Tab 30 Appointment of individuals to upcoming vacant positions on the Board of Adjustment.

**X. REPORTS**

**County Attorney**

- Tab 31 Approval of Interlocal Agreement between the City of Clermont and Lake County. **Payment of Grant Funds to City** to be changed from 15 days to 120 days.

**County Manager**

**Commissioner Hill – Vice-Chairman and District #1**

**Commissioner Renick – District #2**



**Commissioner Stivender – District #3**

**Commissioner Stewart – District #4**

**Commissioner Cadwell – Chairman and District #5**

**CITIZEN QUESTION AND COMMENT PERIOD**

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

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Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

**TENTATIVE AGENDA**

**JANUARY 16, 2007**

**9:00 A.M. Regular Meeting**

**9:00 A.M. or  
As soon  
Thereafter**      **Public Hearing:** Ordinance amending Chapter 13, Article IV and Section 13-71 through 13-129 entitled Occupational License Taxes

**9:00 A.M. or  
As soon  
Thereafter**      **Public Hearing:** Ordinance amending Section 3.02.06, LDRs, entitled Density, Impervious Surface, Floor Area, and Height Requirements

**9:00 A.M. or  
As soon  
Thereafter**      **Public Hearing:** Ordinance amending Section 3.10.00, LDRs, entitled Road Frontage

**10:00 A.M. County Attorney:** Closed Session to discuss pending litigation

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**TENTATIVE AGENDA**

**JANUARY 23, 2007**

**9:00 A.M. Regular Meeting (Zoning and Road Vacations)**

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**BOARD RETREAT**

**JANUARY 26, 2007**

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**TENTATIVE AGENDA**

**FEBRUARY 6, 2007**

**9:00 A.M. Regular Meeting**

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**TENTATIVE AGENDA**

**FEBRUARY 13, 2007**

**9:00 A.M. Regular Meeting/Tentative**

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**TENTATIVE AGENDA**

**FEBRUARY 20, 2007**

**9:00 A.M. Regular Meeting**

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**TENTATIVE AGENDA**

**FEBRUARY 27, 2007**

**9:00 A.M. Regular Meeting (Zoning and Road Vacations)**

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**TENTATIVE AGENDA**

**MARCH 6, 2007**

**9:00 A.M. Regular Meeting**

TENTATIVE AGENDA

MARCH 13, 2007

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

MARCH 20, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

MARCH 27, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

APRIL 3, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

APRIL 10, 2007

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

APRIL 17, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

APRIL 24, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

MAY 1, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

MAY 8, 2007

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

MAY 15, 2007

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

MAY 22, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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**TENTATIVE AGENDA**

**JUNE 5, 2007**

**9:00 A.M.            Regular Meeting**

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**TENTATIVE AGENDA**

**JUNE 12, 2007**

**9:00 A.M.            Regular Meeting/Tentative**

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**TENTATIVE AGENDA**

**JUNE 19, 2007**

**9:00 A.M.            Regular Meeting**

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**TENTATIVE AGENDA**

**JUNE 26, 2007**

**9:00 A.M.            Regular Meeting (Zoning and Road Vacations)**

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